

for filing a separate petition for waiver in the present application.

However, in an abundance of caution, Applicants hereby submit a conditional petition under 37 CFR 1.183 for waiver of the requirements of 37 CFR 1.84, along with a proposed amendment to the specification pursuant to MPEP 608.02 (Color Drawings). If it is deemed that a separate petition is required, authorization is hereby given to charge the required fee of \$130.00 for filing this petition to Deposit Account No. 20-1430 (a duplicate of this conditional petition is enclosed for accounting purposes).

In conjunction with the above conditional petition for waiver, Applicants enclose herewith five sets of formal drawings, including the color drawings, which also incorporate the corrections and/or changes specified in the Notice of Draftsman's Patent Drawing Review attached to Paper No. 7 and referred to in the Notice of Allowability mailed January 10, 1995 for the above-identified application.

Applicants also request amendment of the specification as follows:

Page 1, line 2, insert the following paragraph:

--The file of this patent contains at least one drawing executed in color. Copies of this patent with color drawing(s) will be provided by the Patent and Trademark Office upon request and payment of the necessary fee.--

Respectfully submitted,

TOWNSEND and TOWNSEND KHOURIE and CREW

Date: 3/16/95

By: Vern Norviel

Vern Norviel
Reg. No. 32,483

Enclosures:

1. Copy of Decision on Petition for Waiver
2. Five (5) sets of formal drawings
(including color drawings)

VN:dc
WORK/16528J/000180.P09

TOWNSEND and TOWNSEND KHOURIE and CREW
Steuart Street Tower
One Market
San Francisco, CA 94105
(415) 326-2400



UNITED STATES
Patent and Trademark
ASSISTANT SECRETARY
OF PATENTS AND
Washington, D.C. 20540

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1991 NOV -5 AM 8:29

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San Francisco, CA 94105

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OCT 31 1991

DEPUTY ASST. COMM.

In re Application of
Michael C. Pirrung et al.
Serial No. 07/492,462
Filed: March 7, 1990
Attorney Docket No. 11509A11

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ON PETITION

This is a decision on the petition under 37 CFR 1.183, filed September 4, 1990, to suspend the requirements of 37 CFR 1.84.

The petition is granted.

Petitioner seeks to file color drawings in order to enable the identification of binding characteristics of immunoglobulin or the like via intensity plots.

It is appropriate to suspend the requirements of 37 CFR 1.84 and accept the color drawings since petitioner has submitted a set of five (5) drawings with figures 13A-13D, 15A-15B, 16, 17, 19 and 20 in color on DIN size A4 sheets, has described the color drawings in the specification, and has indicated that color drawings are necessary to adequately disclose the invention.

The application is being forwarded to Group 180.

Jeffrey V. Nase, Director
Office of Petitions
Office of the Assistant Commissioner
for Patents



11509-A-1-1
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
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Washington, D.C. 20231

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Paper No. 30

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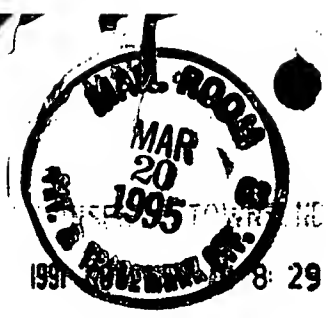
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sufficiently descriptive to adequately disclose the invention.

Application is being forwarded to Group 180.

Jeffrey V. Nase, Director
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Jeffrey V. Nase, Director
Office of Petitions
Office of the Assistant Commissioner
for Patents

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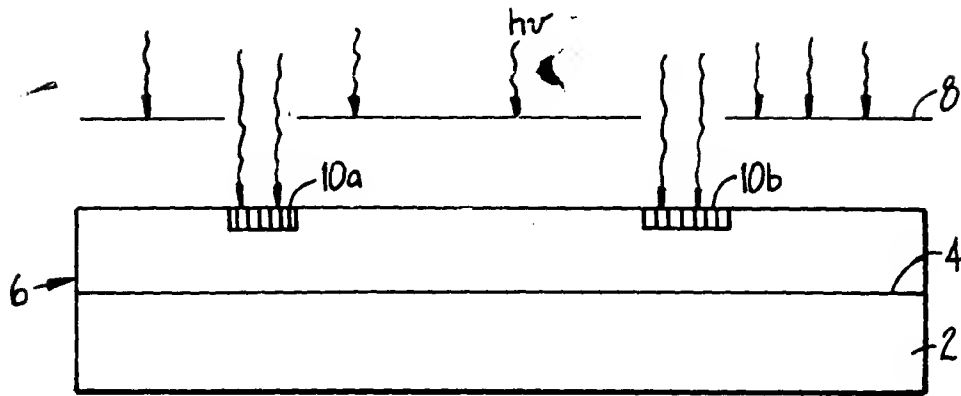


FIG. 1.

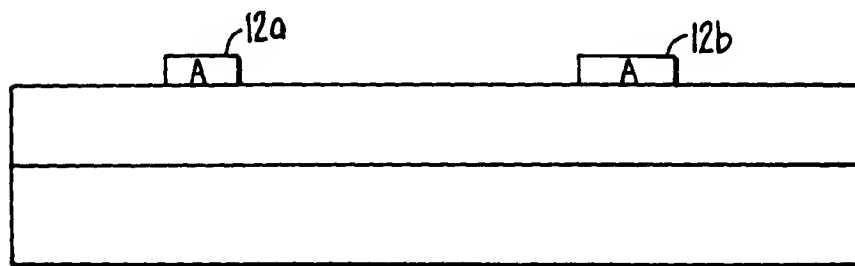


FIG. 2.

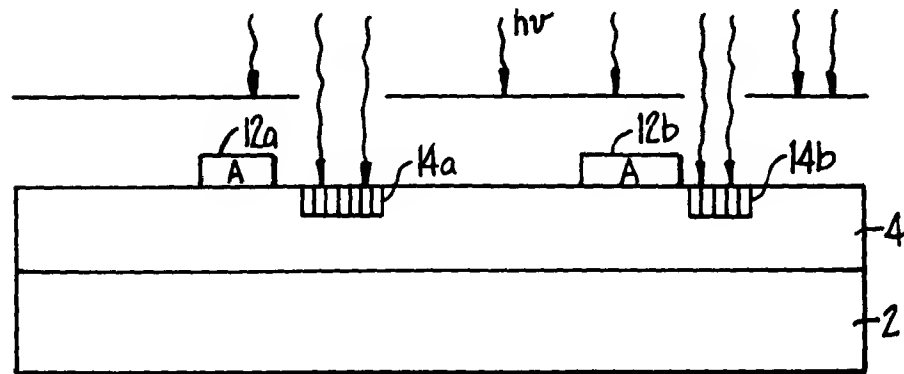


FIG. 3.

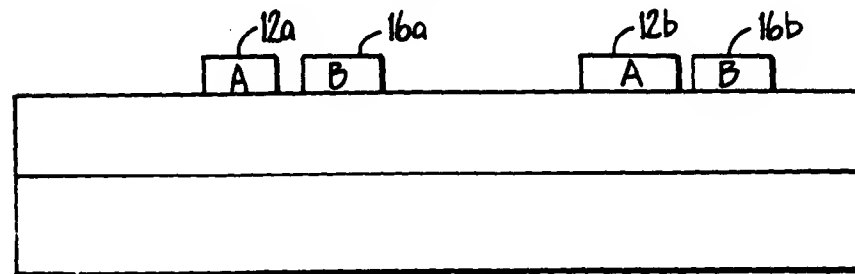


FIG. 4.

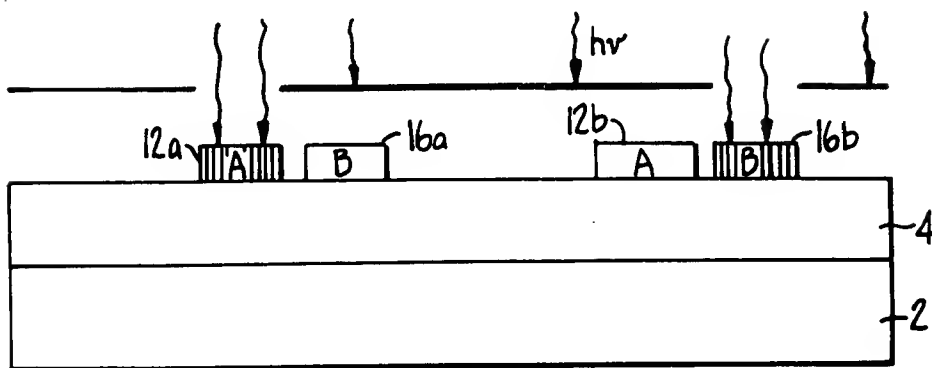


FIG. 5.

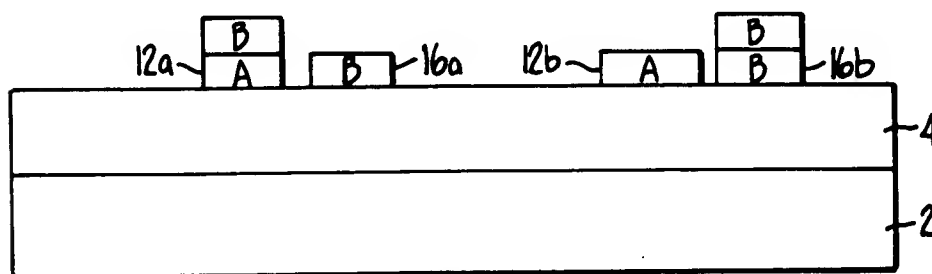


FIG. 6.

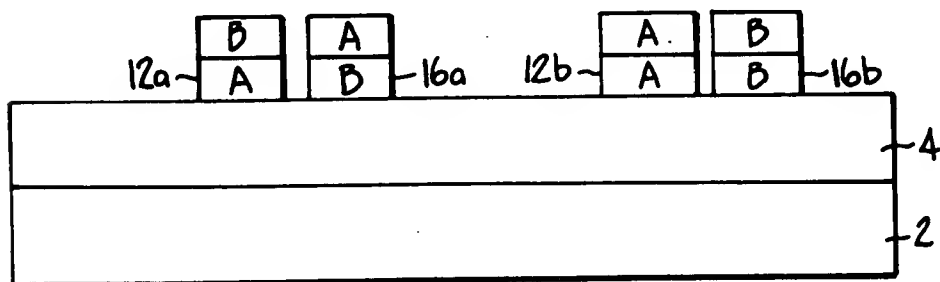


FIG. 7.

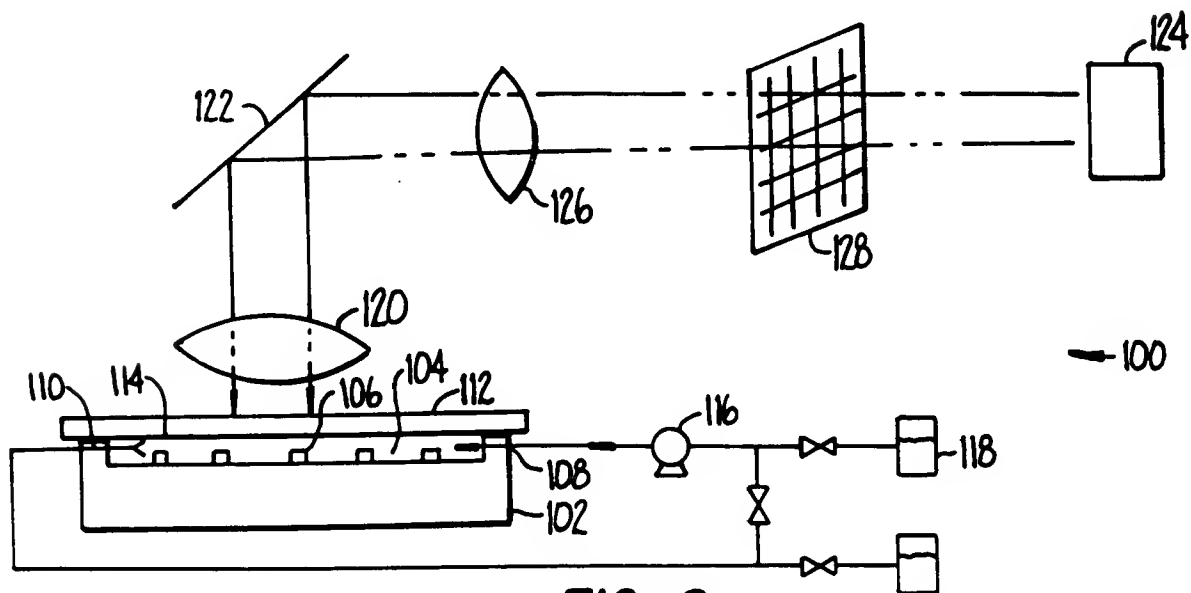


FIG. 8a.

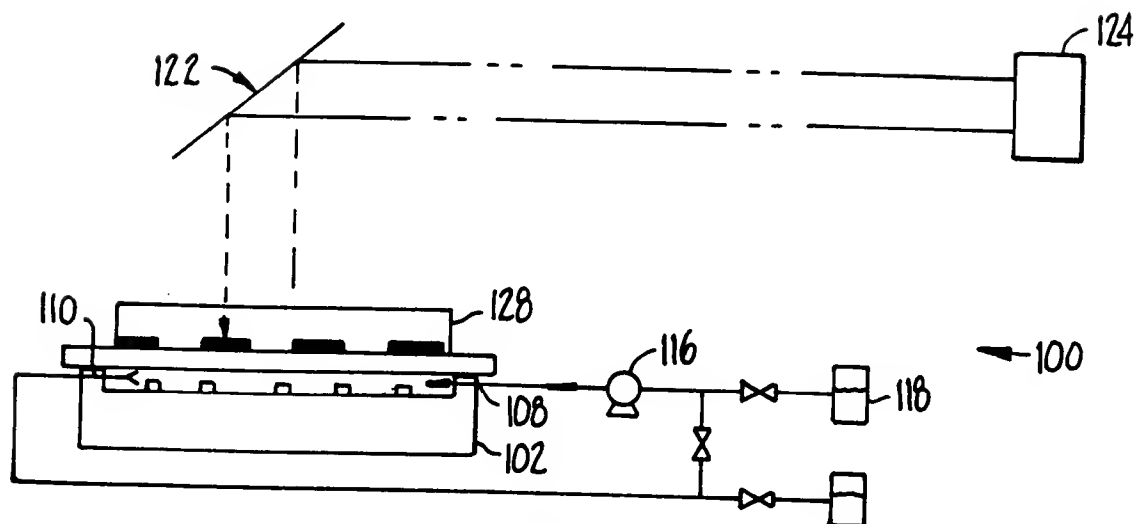


FIG. 8b.

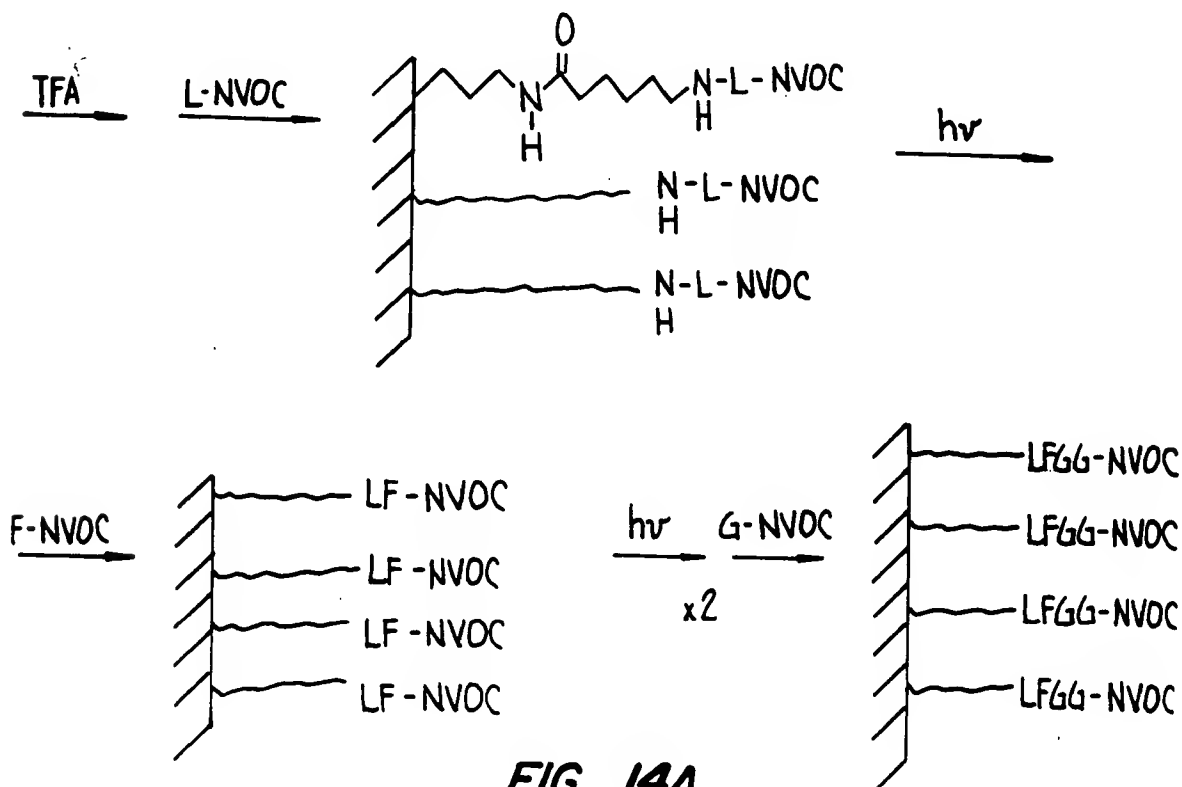
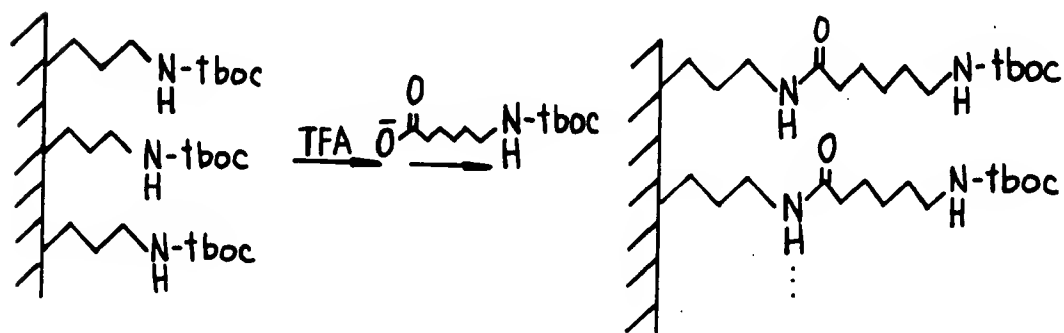


FIG. 14A.

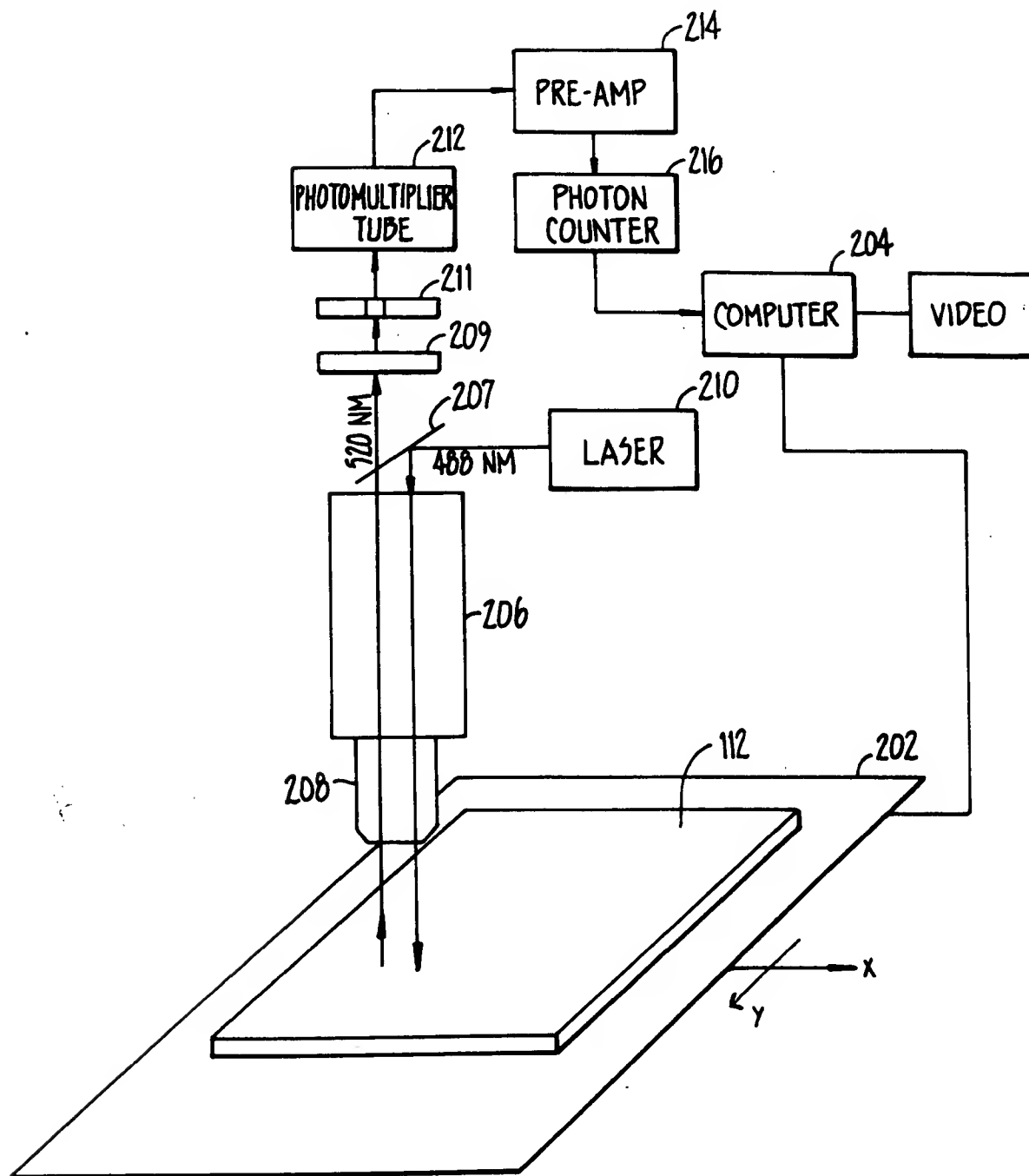


FIG. 9.

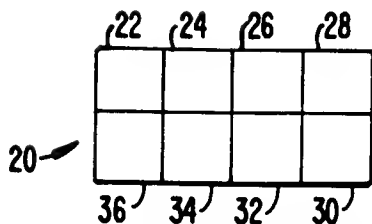


FIG. 10A.

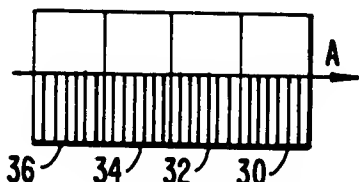


FIG. 10B.

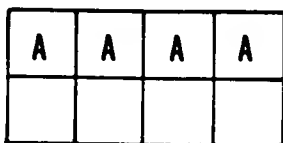


FIG. 10C.

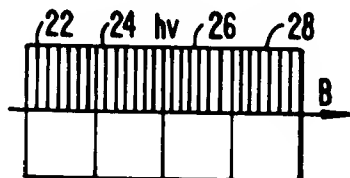


FIG. 10D.

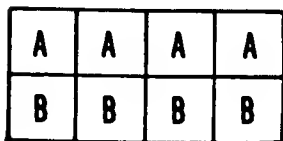


FIG. 10E.

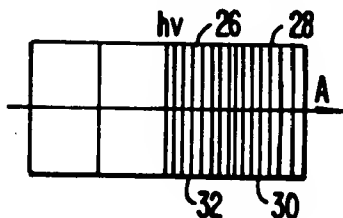


FIG. 10F.

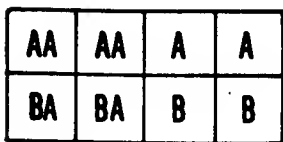


FIG. 10G.

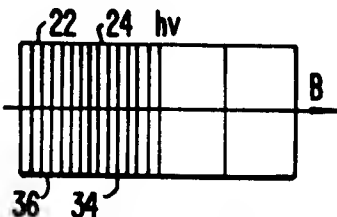


FIG. 10H.

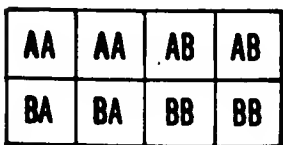


FIG. 10I.

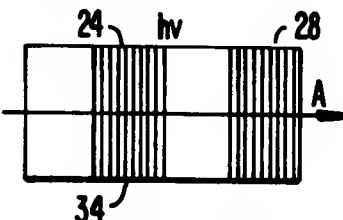


FIG. 10J.

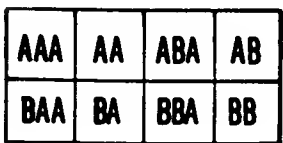


FIG. 10K.

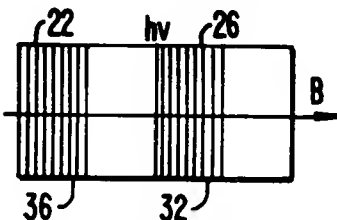


FIG. 10L.

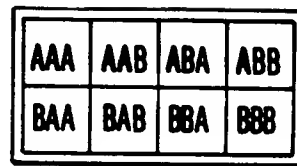


FIG. 10M.

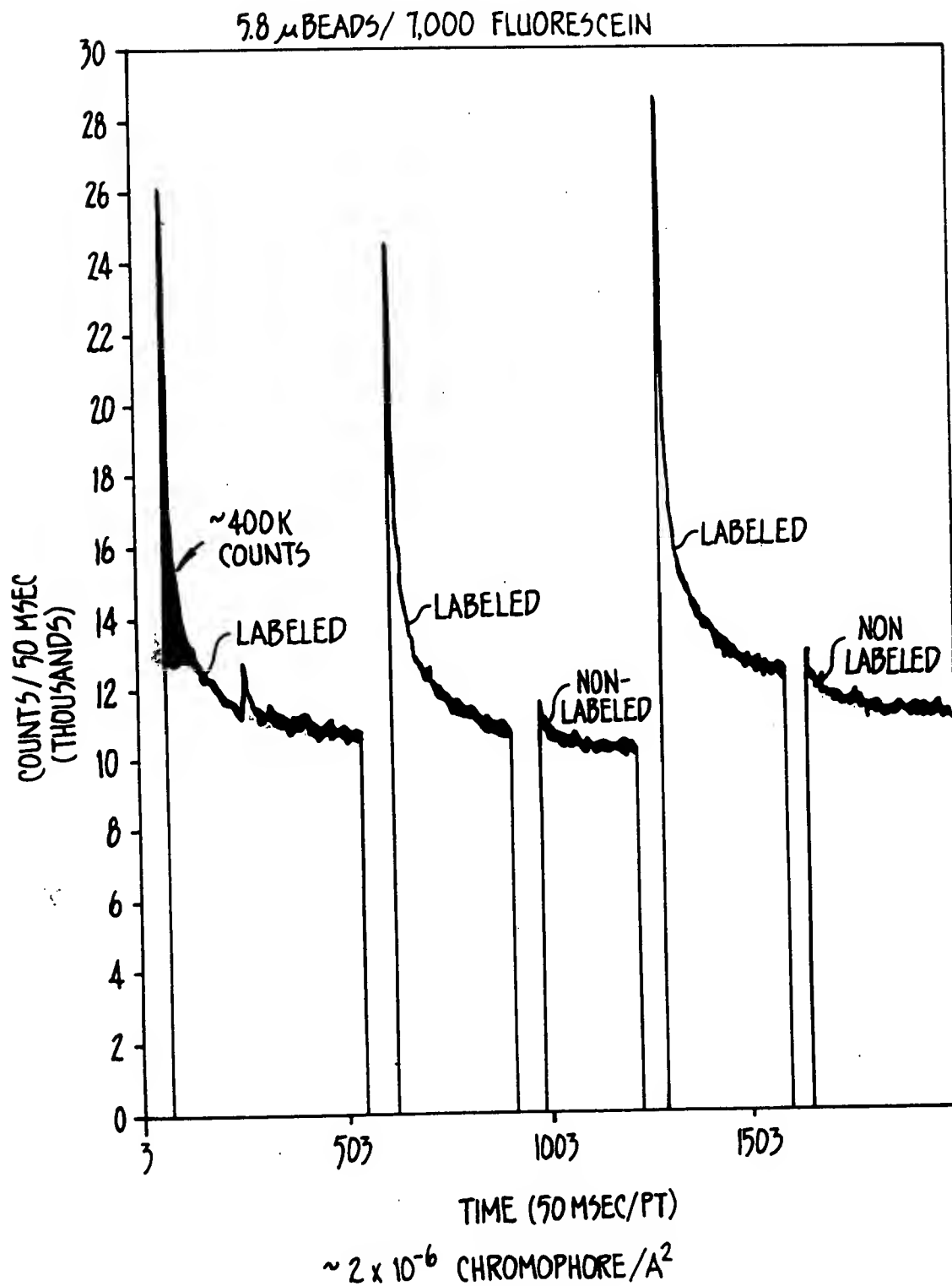


FIG. IIA.

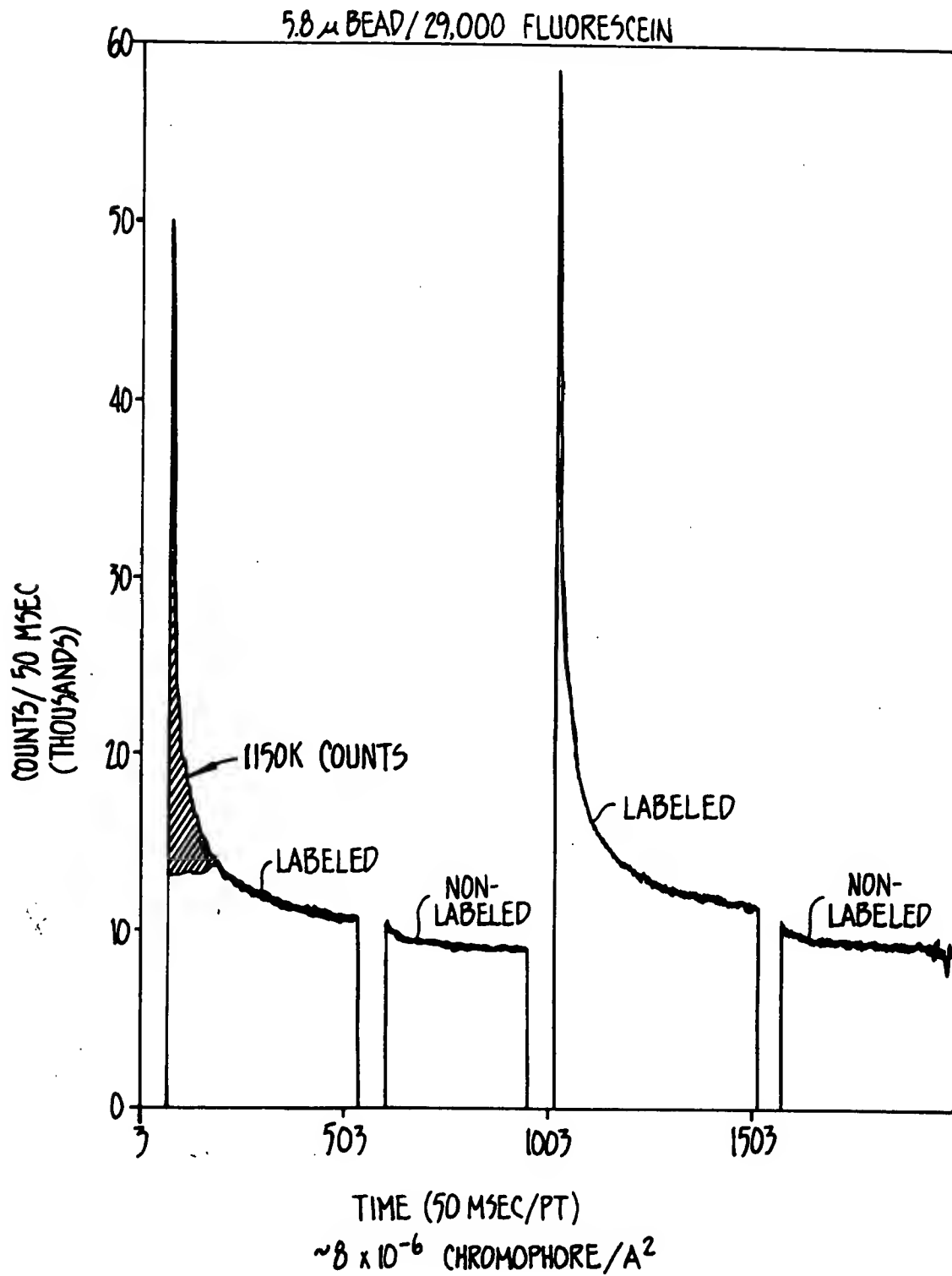


FIG. IIB.

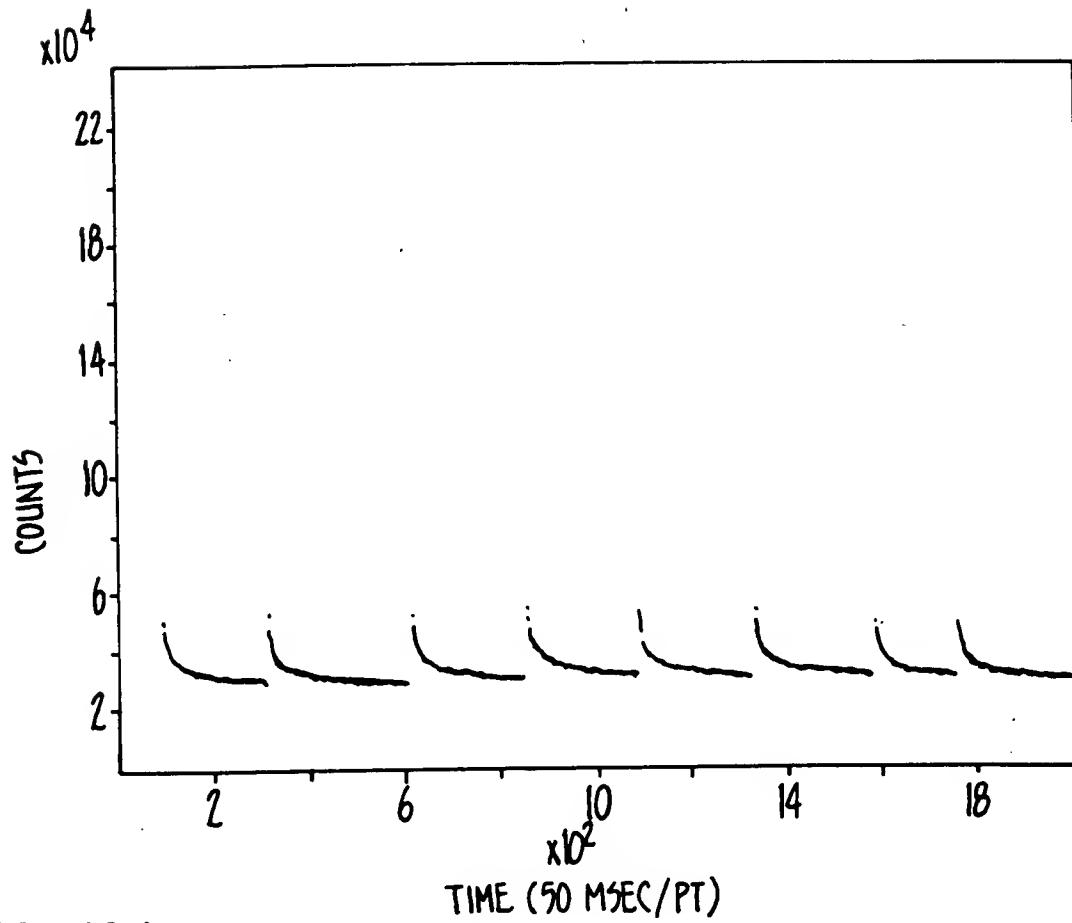


FIG. 12A.

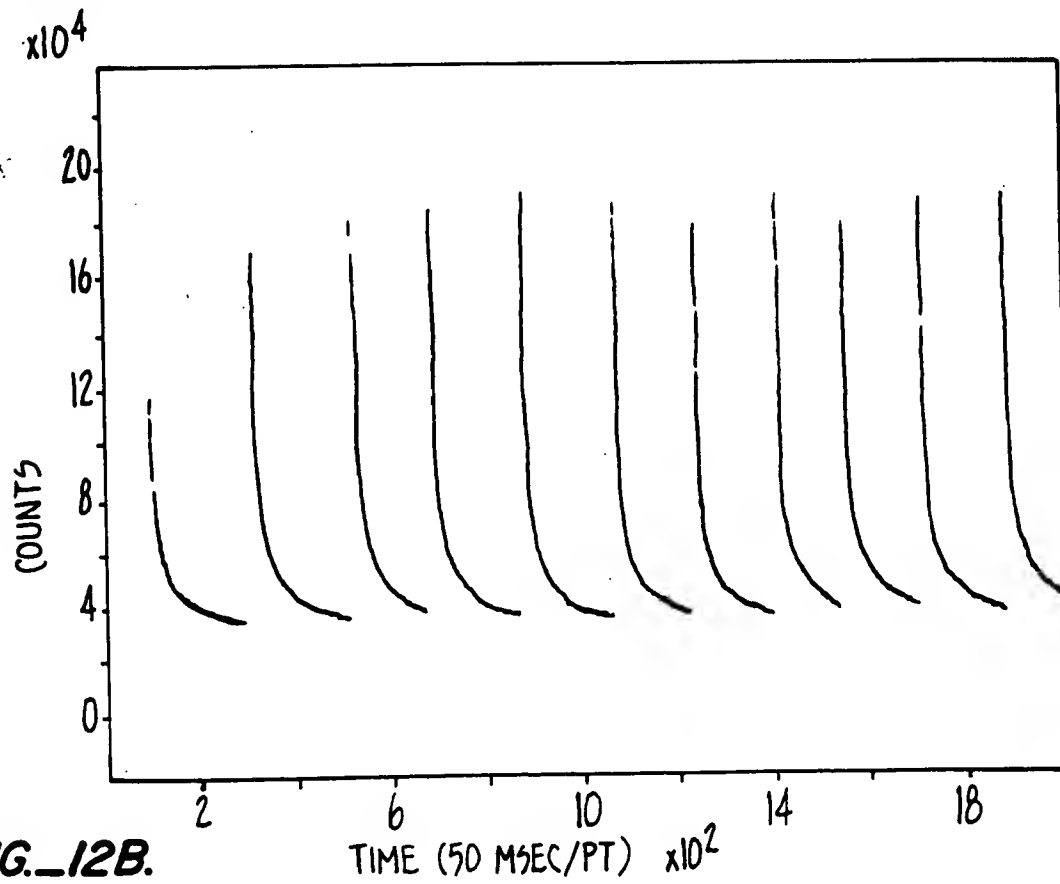
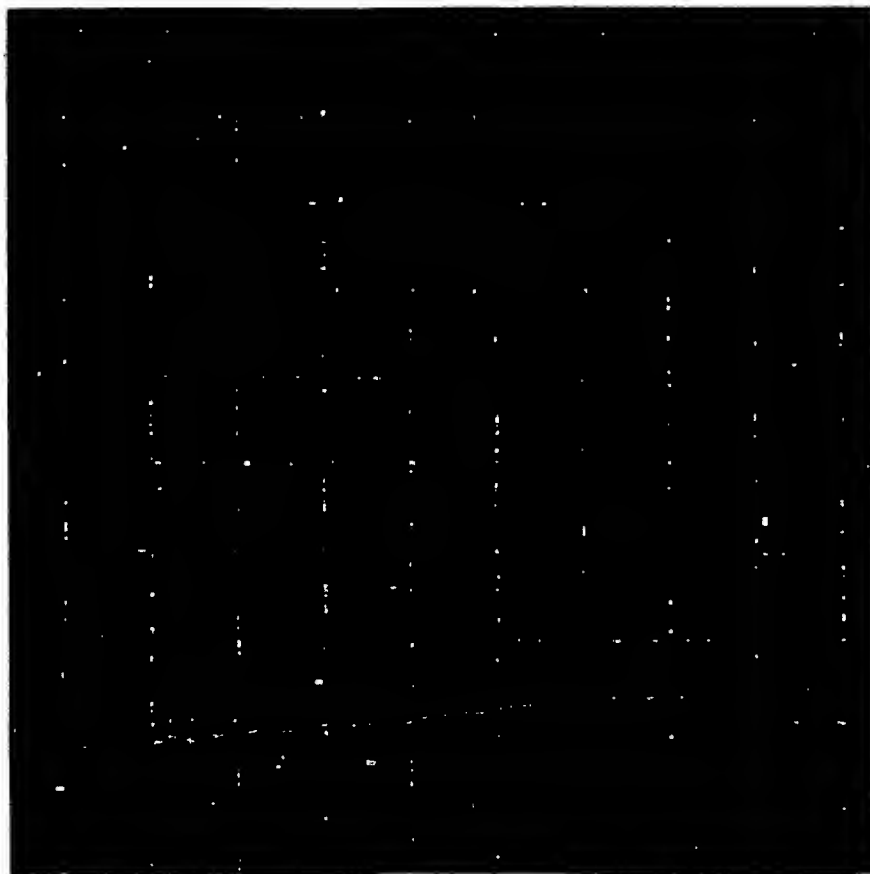


FIG. 12B.



1023027

728188.3

322785.5

300672.6

285930.7

278559.7

271188.8

212221.1

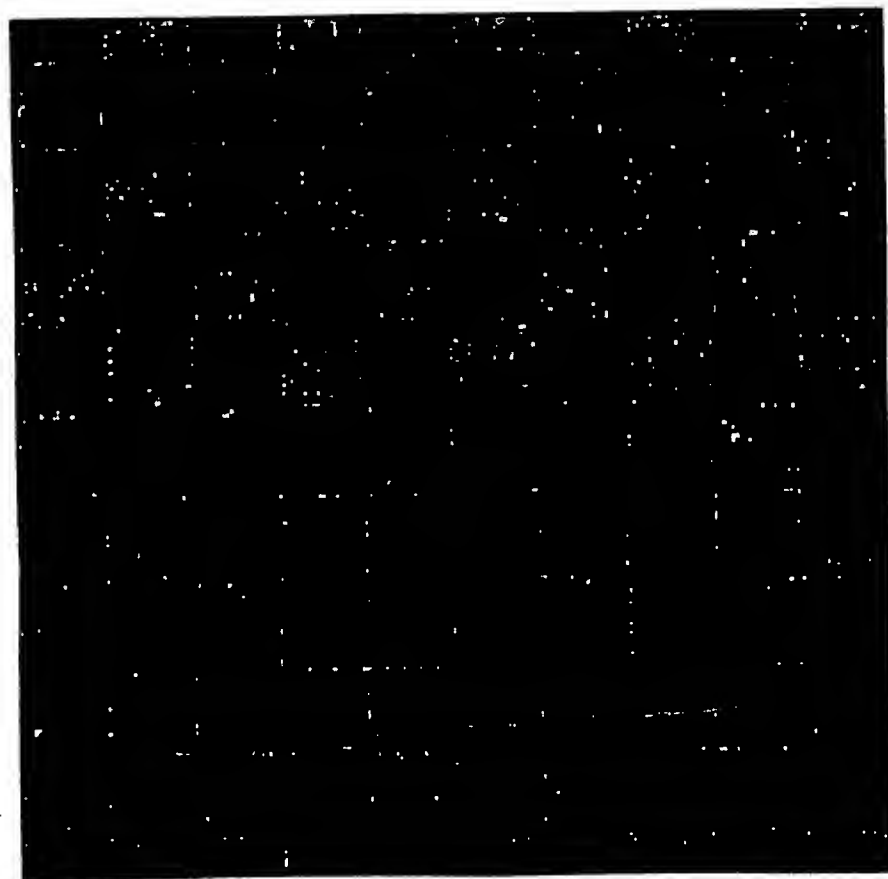
197479.2

182737.3

138511.5

MEAN: 285930.7
VAR: 2.173242E+10
 σ : 147419.2

FIG. 13A.



617735.3

417730.7

142724.2

127723.9

117723.6

112723.5

107723.4

67722.45

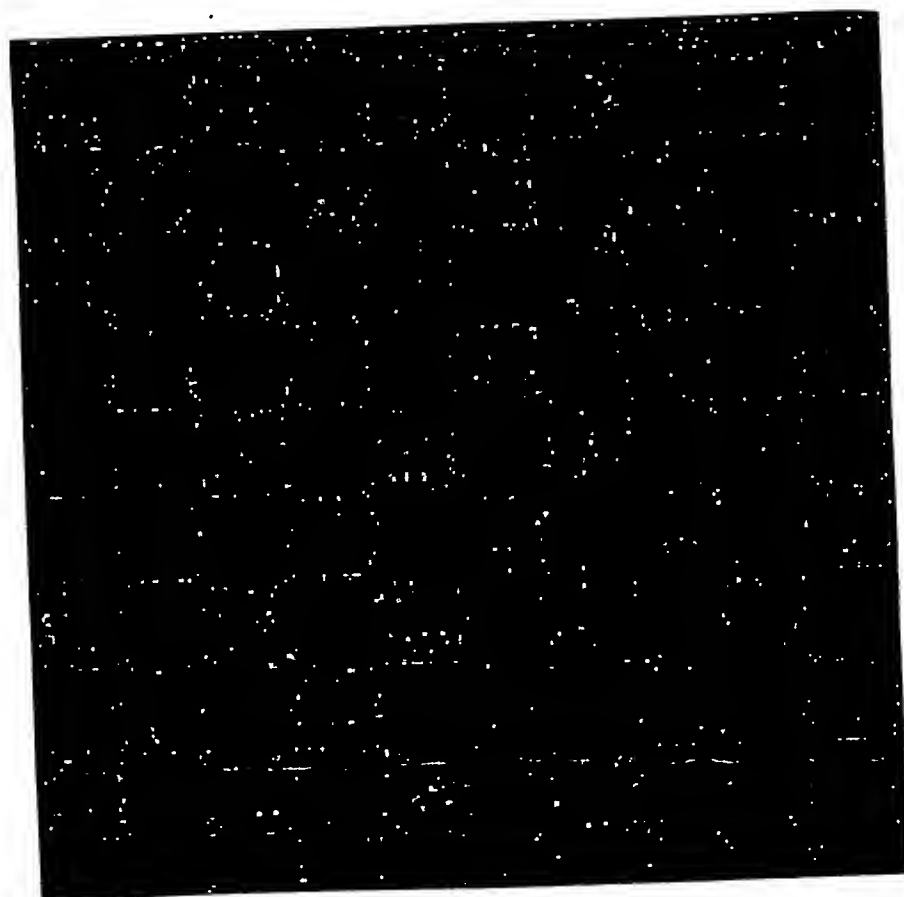
57722.21

47721.98

17721.27

MEAN: 117723.6
VAR: 1.000047E+10
 σ : 100002.3

FIG. 13B.



- 552484.3

373317.4

126963

113525.5

104567.2

100000

95608.83

59775.46

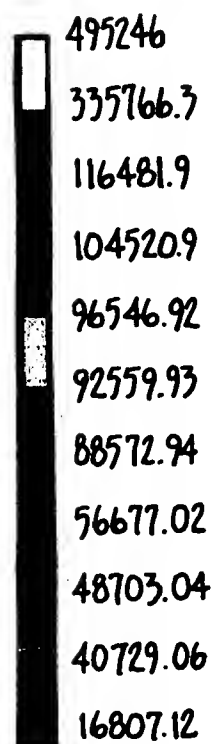
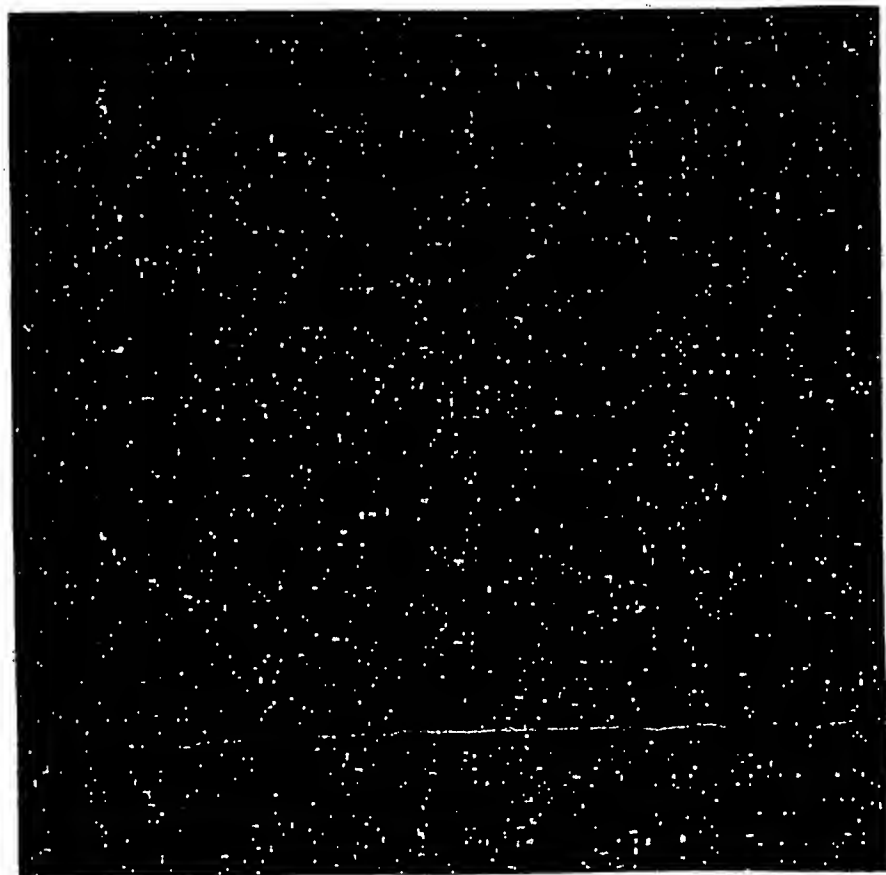
50017.12

41858.78

14983.75

MEAN: 104567.2
VAR: 8.025189E+09
σ: 89583.42

FIG. 13C.



MEAN: 96546.92
VAR: 6.358437E+09
 σ : 79739.8

FIG. 13D.

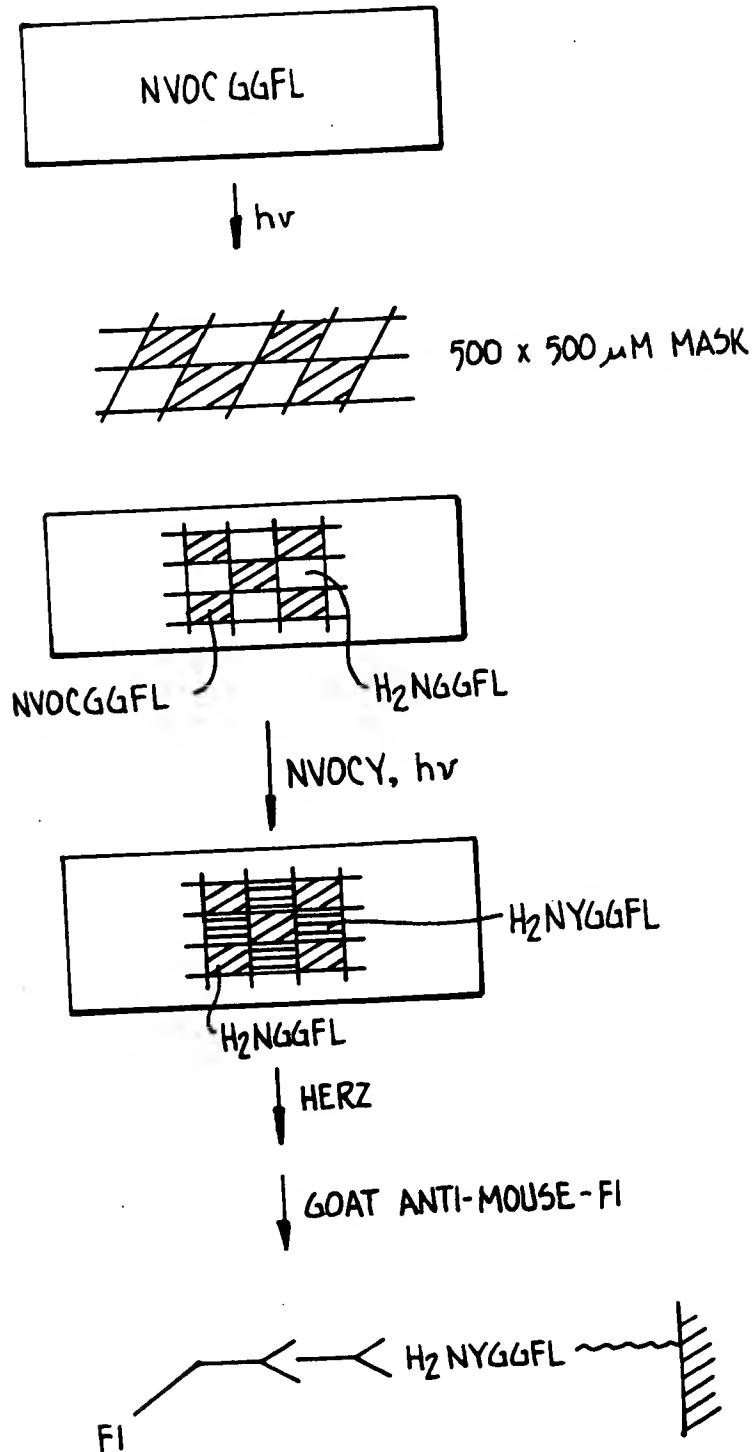
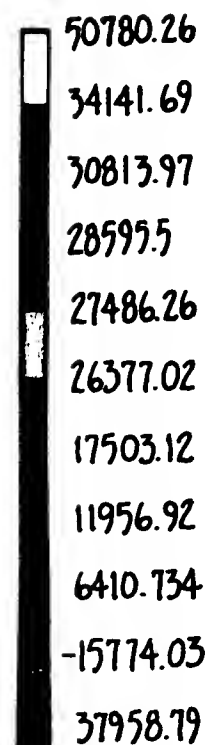
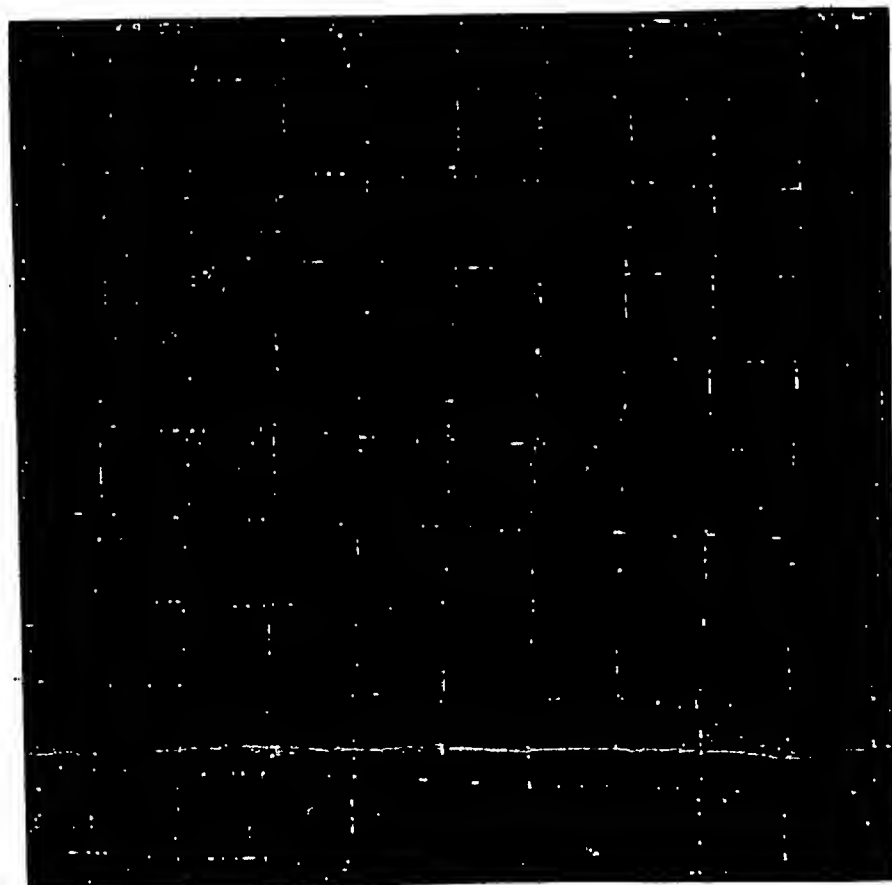


FIG. 14B.



MEAN: 28595.5
VAR: 4.921637E+08
 σ : 22184.76

FIG. 15A.



879976.1

600504.3

216230.6

195270.2

181296.6

174309.8

167323

111428.7

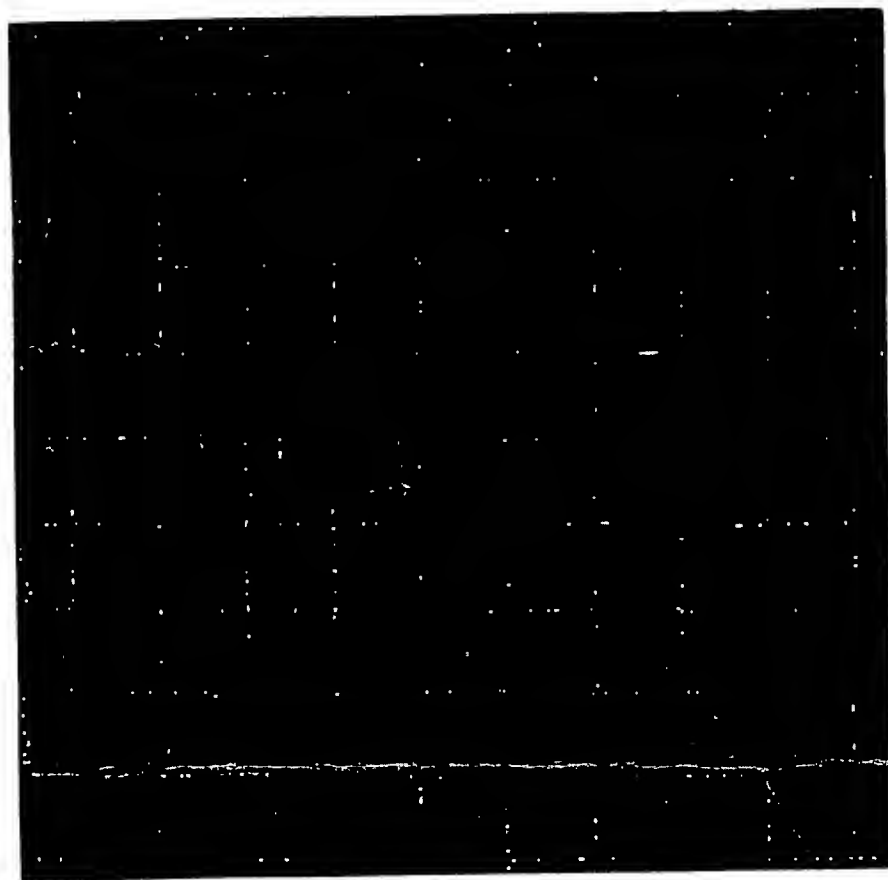
97455.07

83481.48

41560.72

MEAN: 181296.6
VAR: 1.952612E+10
 σ : 139735.9

FIG. 15B.



636588

428583.8

142577.9

126977.5

116577.3

111377.2

106177.1

64576.25

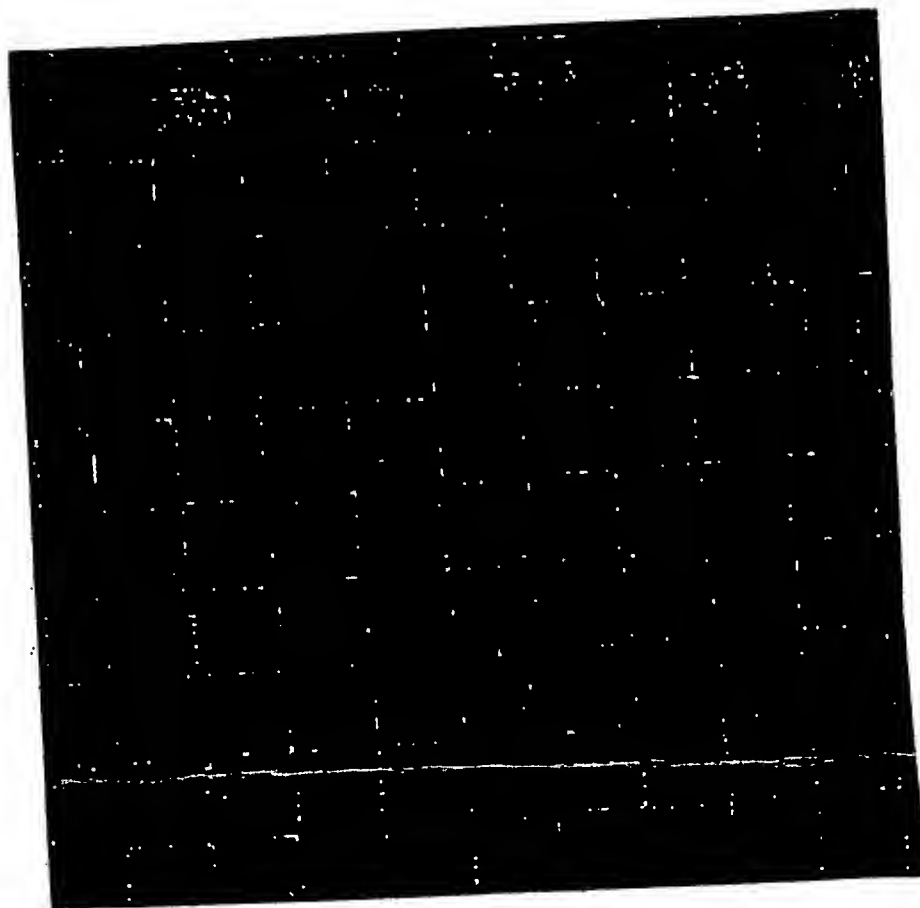
54176.03

43775.82

12575.18

MEAN: 116577.3
VAR: 1.081645E+10
 σ : 104002.1

FIG._16.



667348.3

453053

158397

142324.9

131610.1

126252.7

120895.3

78036.29

67321.52

56606.77

24462.47

MEAN: 131610.1
VAR: 1.148062E+10
 σ : 107147.6

FIG._17.

P	A	S	G	
<u>L</u> P GFL	<u>L</u> A GFL	<u>L</u> S GFL	<u>L</u> G GFL	L
<u>F</u> P GFL	<u>F</u> A GFL	<u>F</u> S GFL	<u>F</u> G GFL	F
<u>W</u> P GFL	<u>W</u> A GFL	<u>W</u> S GFL	<u>W</u> G GFL	W
<u>Y</u> P GFL	<u>Y</u> A GFL	<u>Y</u> S GFL	<u>Y</u> G GFL	Y

L SET

FIG. 18A.

p	a	s	G	
<u>Y</u> p GFL	<u>Y</u> a GFL	<u>Y</u> s GFL	<u>Y</u> G GFL	Y
<u>f</u> p GFL	<u>f</u> a GFL	<u>f</u> s GFL	<u>f</u> G GFL	f
<u>w</u> p GFL	<u>w</u> a GFL	<u>w</u> s GFL	<u>w</u> G GFL	w
<u>y</u> p GFL	<u>y</u> a GFL	<u>y</u> s GFL	<u>y</u> G GFL	y

D SET

FIG. 18B.

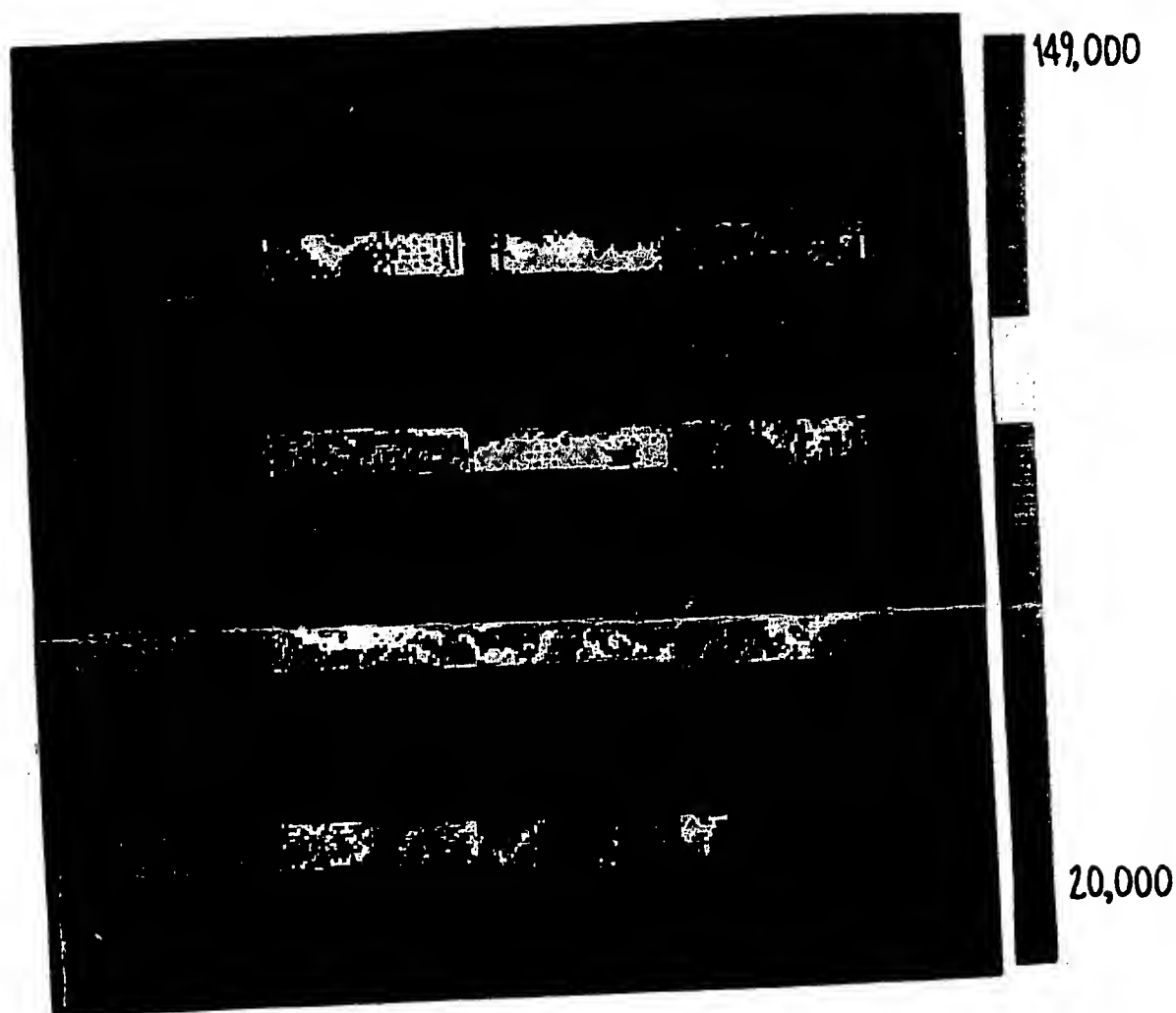


FIG. 19.

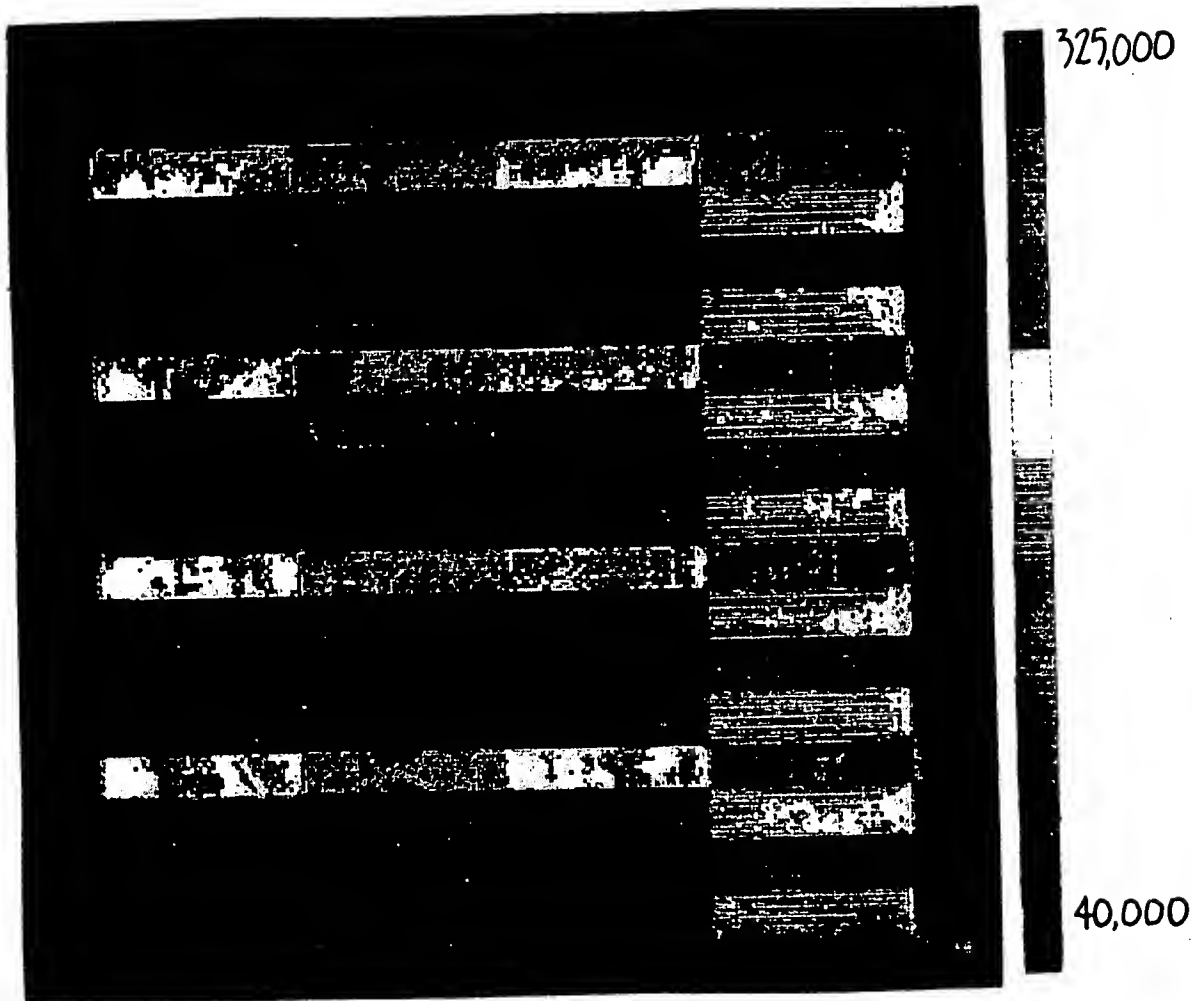


FIG._20.

PART B—ISSUE FEE TRANSMITTAL

ILING INSTRUCTIONS: This form should be used for transmitting the ISSUE-FEE. Blocks 2 through 6 should be completed where appropriate. Further correspondence including the Issue Fee Receipt, the Patent, advance orders and notification of maintenance fees will be mailed to addressee entered in Block 1 unless you direct otherwise, by: (a) specifying a new correspondence address in Block 3 below; or (b) providing the PTO with a separate letter for maintenance fee notifications with the payment of Issue Fee or thereafter. See reverse for Certificate of Mailing.



1. CORRESPONDENCE ADDRESS
 TOWNSEND AND TOWNSEND
 STEUART STREET TOWER
 ONE MARKET PLAZA
 SAN FRANCISCO, CA 94105

2. INVENTOR(S) ADDRESS CHANGE (Complete only if there is a change)
INVENTOR'S NAME
 Street Address
 City, State and ZIP Code
CO-INVENTOR'S NAME
 Street Address
 City, State and ZIP Code
☐ Check if additional changes are on reverse side

RECEIVED

#28

18N1/0110

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
07/954,646	09/30/92	010	GREEN, L 1802	01/10/95
First Named Applicant: FODOR, STEPHEN P.A.				

TITLE OF INVENTION
 OLIGONUCLEOTIDES
 ARRAY OF ELIGONCEOTIBES ON A SOLID SUBSTRATE
 (AS AMENDED)

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
1 11509-57-5	436-006.000	H84	UTILITY	YES	\$1,210.00	04/10/95

<p>3. Correspondence address change (Complete only if there is a change) TOWNSEND and TOWNSEND KHOURIE and CREW Steuart Street Tower One Market San Francisco, CA 94105</p>	<p>4. For printing on the patent front page, list the names of not more than 3 registered patent attorneys or agents OR, alternatively, the name of a firm having as a member a registered attorney or agent. If no name is listed, no name will be printed.</p> <p>TOWNSEND and TOWNSEND 1 KHOURIE and CREW 2 _____ 3 _____</p>
--	--

5. ASSIGNMENT DATA TO BE PRINTED ON THE PATENT (print or type):
 (1) NAME OF ASSIGNEE:
 AFFYMAX TECHNOLOGIES N.V.
 (2) ADDRESS: (CITY & STATE OR COUNTRY)
 De Ruyderkade 62, Curacao, Netherlands Antilles

A. ☐ This application is NOT assigned.
☒ Assignment previously submitted to the Patent and Trademark Office.
☐ Assignment is being submitted under separate cover. Assignments should be directed to Box ASSIGNMENTS.
 PLEASE NOTE: Unless an assignee is identified in Block 5, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the PTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

6a. The following fees are enclosed:
☐ Issue Fee ☐ Advance Order - # of Copies _____

6b. The following fees should be charged to: 20-1430
 DEPOSIT ACCOUNT NUMBER _____
 (ENCLOSE PART C)
☒ Issue Fee ☒ Advance Order - # of Copies 50
☒ Any Delinquencies in Enclosed Fees

The COMMISSIONER OF PATENTS AND TRADEMARKS is requested to apply the Issue Fee to the application identified above.

(Authorized Signature) Vern Norviel, Reg. No. 32,483 (Date) 5/16/95

NOTE: The Issue Fee will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the Patent and Trademark Office.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Box ISSUE FEE
Commissioner of Patents and Trademarks
Washington, D.C. 20231

on March 16, 1995
(Date)

Deanna Costen
(Name of person making deposit)

Deanna Costen
(Signature)

3/16/95
(Date)

Note: If this certificate of mailing is used, it can only be used to transmit the Issue Fee. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing.

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Office of Information Systems, Patent and Trademark Office, Washington, D.C. 20231, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, (Project 0651-0033), Washington, D.C. 20503. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Box Issue Fee, Washington, DC 20231.